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09/894,542	06/28/2001	Vernon Meadows	BLL-0036	6211

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EXAMINER

ESCALANTE, OVIDIO

ART UNIT PAPER NUMBER

2645

DATE MAILED: 07/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/894,542

Applicant(s)

MEADOWS ET AL.

Examiner

Ovidio Escalante

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 31 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-74 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-74 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. The information disclosure statement submitted on August 31, 2001 was received. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly the information disclosure statement is being considered by the examiner.

### ***Drawings***

2. The drawings submitted on June 28, 2001 have been approved by the draftsman.

### ***Specification***

3. The disclosure is objected to because of the following informalities: in pages 1 and 2, the Examiner respectfully asks Applicants to amend the specification to include the US serial number of the related US applications. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-16, 19-33 and 37-55 are rejected under 35 U.S.C. 102(b) as being anticipated by Hanson et al. US Patent 6,014,427.

**Regarding claims 1,18,19 and 37**, Hanson teaches a method and a system processor for providing a status certification for a message (voicemail message) in a communications network (abstract; fig. 9; col. 9, lines 48-64; the message originator can receive a certified status report for a specific message) comprising:

(a) assigning a message identifier for said message, (e.g. ID#002: template #4), (figs. 7-9; col. 5, lines 52-55);

(b) creating a disposition identifier in response to a disposition event, (col. 5, lines 55-61; col. 9, lines 23-29; disposition identifiers include among other things, message recipients who reply or have not responded);

(c) associating said disposition identifier with said message, (col. 5, lines 55-61; col. 9, lines 4-22);

(d) receiving a request for a status notification of said message, (col. 9, lines 48-64; the sender requests a status report);

(e) compiling said message identifier and said disposition identifier to generate said status notification, (col. 5, lines 52-61; col. 9, lines 4-47; the identifiers are compiled into their corresponding fields; 9, lines 48-64); and

(f) providing said status notification in response to said request, (fig. 9; col. 9, lines 48-64; the sender receives the report).

**Regarding claims 2,20 and 38**, Hanson teaches (g) billing a party to said message for said providing of said status certification, (col. 7, lines 17-24; the party is billed for using the entire service therefore, since status certification is part of the service then the user is charged for using status certification).

***Regarding claims 3,21 and 39***, Hanson teaches wherein said disposition event comprises at least one of: a managing event; and a dispatching event, (col. 5, lines 52-61; col. 9, lines 38-47).

***Regarding claims 4,22 and 40***, Hanson teaches wherein said managing event comprises at least one of: accessing said message and presenting an indication of said message, (col. 5, lines 52-61; fig. 9).

***Regarding claims 5,23 and 41***, Hanson teaches wherein said managing event comprises at least one of: denying said status certification of said message, (col. 9, lines 48-64; fig. 9).

***Regarding claims 6,24 and 42***, Hanson teaches wherein said dispatching event comprises at least one of: forwarding said message; and replying to said message, (col. 7, lines 17-24).

***Regarding claims 7,25 and 43***, Hanson teaches wherein said status notification comprises at least one of: an audio message and a text message, (col. 9, lines 48-64).

***Regarding claim 8 and 44***, Hanson teaches wherein said communications network comprises a telecommunications network and an electronic communications network, (fig. 1; col. 2, lines 44-67).

***Regarding claims 9,26 and 45***, Hanson teaches wherein said message identifier comprises an alphanumeric identifier, (fig. 9).

***Regarding claims 10,27 and 46***, Hanson teaches wherein said message identifier comprises at least one of: a role identifier; a party identifier; a date identifier; and a time identifier, (fig. 9; col. 9, lines 4-47).

***Regarding claims 11,28 and 47***, Hanson teaches wherein said role identifier comprises at least one of: an originator; a sender; a caller and a recipient, (fig. 9).

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**Regarding claims 12,29 and 48**, Hanson teaches wherein said party identifier comprises an access address, (fig. 9).

**Regarding claims 13,30 and 49**, Hanson teaches storing an attribute for said status certification for said message, wherein said attribute comprises at least one of: said message identifier; said disposition identifier; and said status notification, (col. 9, lines 4-37; figs 7-9).

**Regarding claims 14,31 and 50**, Hanson teaches administrative functionality, wherein said administrative functionality comprises at least one of: monitoring said attribute and informing a recipient of said attribute, (col. 7, line 55-col. 8, line 3; col. 9, lines 4-47).

**Regarding claims 15,32 and 54**, Hanson teaches wherein said request comprises a secure request, (col. 3, lines 46-51).

**Regarding claims 16 and 33**, Hanson teaches wherein said request comprises dialing an access number, (col. 3, lines 38-46).

**Regarding claim 51**, Hanson teaches a data repository for storing at least one of said message, said message identifier, said disposition identifier, and said report, (col. 3, lines 16-32).

**Regarding claim 52**, Hanson teaches wherein said data repository comprises a database, (fig. 2; col. 3, lines 16-32).

**Regarding claim 53**, Hanson teaches wherein said data repository comprises: a first database for storing said message; and a second database for storing said attribute, (fig. 2).

**Regarding claim 55**, Hanson teaches a network access device to issue said request, wherein said network access device comprises at least one of: a telephone; a cellular-capable device and a computer, (fig. 2; col. 2, lines 50-53).

6. Claims 35 and 36 are rejected under 35 U.S.C. 102(e) as being anticipated by Picard et al. US Patent 6,233,318.

**Regarding claim 35**, Picard teaches a method for providing a status certification for a video mail message in a video enabled communications network (col. 7, lines 13-19; Picard teaches of providing status information for video, voice, text and facsimile messages) comprising:

(a) assigning a message identifier for said message, (col. 13, lines 22-32; each message has an ID so that it can be located in the network);

(b) creating a disposition identifier in response to a disposition event, (col. 7, lines 13-19; status ID is created (new/read, urgent, replied to, forward); and

(c) associating said disposition identifier with said message, (col. 7, lines 13-19).

**Regarding claim 36**, Hashimoto teaches (d) receiving a request for a status notification, (col. 7, lines 13-19);

(e) compiling said message identifier and said disposition identifier to generate said status notification, (col. 2, lines 26-33; col. 7, lines 13-19); and

(g) providing said status notification in response to said request, (col. 2, lines 26-33; col. 7, lines 13-19).

### ***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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8. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

9. Claims 56-74 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hanson in view of LaPorta et al. US Patent 6,014,429.

**Regarding claim 56**, Hanson teaches a system for providing a status certification for a voicemail message in a network (col. 9, lines 48-64; the message sender can receive a certified status report for a specific sent message) comprising:

(a) an intelligent peripheral operative to assign a message identifier (figs. 7-9) for said message, (col. 5, lines 52-55; col. 9, lines 23-29);

(b) said intelligent peripheral further operative to create a disposition identifier in response to a disposition event, (col. 5, lines 55-61); and

(c) said intelligent peripheral further operative to associate said disposition identifier with said message, (col. 5, lines 55-61).

Hanson does not specifically teach of the network being an advanced intelligence network.

LaPorta teaches that it was well known in the art to provide messaging services in an AIN system, (col. 19, lines 52-67; fig. 2). LaPorta also teaches of providing message status information to a message sender.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Hanson by using an AIN network system as taught by LaPorta so that network components can communicate with each other with signaling information instead of using in band channels. The Examiner notes that AIN networks are well-known the art and one skilled in the art who have employed an AIN system into Hanson so that voice in-band channels do not have to be used for signaling remote devices.

**Regarding claim 57**, Hanson teaches wherein said intelligent peripheral is further operative to: (d) receive a request for a status notification, (col. 9, lines 48-64; the sender can request a report); (e) compile said message identifier and said disposition identifier to generate said status notification, (col. 5, lines 52-61; col. 8, lines 4-47); and (f) provide said status notification in response to said request, (fig. 9; col. 9, lines 48-64).

**Regarding claim 58**, Hanson teaches wherein said intelligent peripheral is further operative to: (g) bill a party to said message for said providing of said status certification, (col. 7, lines 17-24; as shown above, the party is billed for receiving status certification).

**Regarding claim 59**, Hanson teaches wherein said disposition event comprises at least one of: a managing event; and a dispatching event, (col. 5, lines 52-61; col. 9, lines 38-47).

**Regarding claim 60**, Hanson teaches wherein said managing event comprises at least one of: accessing said message and presenting an indication of said message, (col. 5, lines 52-61; fig. 9).

**Regarding claim 61**, Hanson teaches wherein said managing event comprises denying said status certification of said message, (col. 9, lines 48-64).

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**Regarding claim 62**, Hanson teaches wherein said dispatching event comprises at least one of: forwarding said message; and replying to said message, (col. 7, lines 17-24).

**Regarding claim 63**, Hanson teaches wherein said status notification comprises at least one of: an audio message and a text message, (col. 9, lines 48-64).

**Regarding claim 64**, Hanson teaches wherein said message identifier comprises an alphanumeric identifier, (fig. 9).

**Regarding claim 65**, Hanson teaches wherein said message identifier comprises at least one of: a role identifier; a party identifier; a date identifier; and a time identifier, (col. 9, lines 4-47).

**Regarding claim 66**, Hanson teaches wherein said role identifier comprises at least one of: an originator; sender; caller and recipient, (fig. 9).

**Regarding claim 67**, Hanson teaches wherein said party identifier comprises at least one an access address, (fig. 9).

**Regarding claim 68**, Hanson teaches wherein said intelligent peripheral is further operative to store an attribute for said status certification for said message, wherein said attribute comprises at least one of: said message identifier; said disposition identifier; and said status notification, (figs. 7-9; col. 9, lines 4-37).

**Regarding claim 69**, Hanson teaches a service management system wherein said service management system is operative to perform administrative functionality, wherein said administrative functionality comprises at least one of: monitoring said attribute and informing a recipient of said attribute, (col. 7, lines 4-37; col. 9, lines 4-47).

**Regarding claim 70**, Hanson teaches wherein said request is a secure request, (col. 3, lines 46-51).

**Regarding claim 71**, Hanson teaches a network access device to issue said request, wherein said network access device comprises at least one of: a telephone; a television; a cellular-capable device; a personal digital assistant; and a computer, (fig. 1).

**Regarding claim 72**, Hanson in view of LaPorta teach a service switching point (18, LaPorta) functionally connected to said intelligent peripheral; and an interface functionally (two-way messaging network, LaPorta) connected to said service switching point (18, LaPorta) and operative to accept a communication directed to said AIN, (LaPorta). LaPorta, as applied above, teaches that it was well-known in the art and it would have been obvious to use an AIN system.

**Regarding claim 73**, while Hanson suggest the use of wireless personal communication devices, (col. 2, lines 48-57), Hanson does not specifically teach of using a MTSO, however, it would have been obvious to use a MTSO since the wireless device needs the MTSO if the wireless device wants to communicate with the network.

Nonetheless, LaPorta teach a mobile telephone switching office (MTSO) functionally connected to said interface and operative to facilitate a cellular device communication directed to said AIN, (col. 17, lines 33-56, LaPorta).

Therefore, it would have been obvious to one of ordinary skill in the art to have a MTSO so that the wireless device of Hanson can communicate with the network.

**Regarding claim 74**, Hanson in view of LaPorta teach a computer network functionally connected to said interface and operative to facilitate a computer-based communication directed to said AIN, (fig. 1, Hanson; fig. 2, LaPorta).

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10. Claims 17 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hanson in view of Picard.

*Regarding claims 17 and 34*, while Hanson teaches wherein said request comprises an address, Hanson does not specifically teaches wherein said request comprises a hypertext transfer protocol request (HTTP) directed to a uniform resource locator address (URL).

Picard teaches that it was well known in the art to request status information for various types of messages that the user has sent. Picard further teaches of wherein a user makes a request to the system and wherein the request comprises a hypertext transfer protocol request (HTTP) directed to a uniform resource locator address (URL).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Hanson by allowing a user to make a request using a HTTP request which is directed to a URL as taught by Picard so that Internet users can access their multi-media messages via their computer.

### ***Conclusion***

11. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314, (for formal communications intended for entry)

Or:

(703) 872-9314, (for informal or draft communications, please label  
"PROPOSED" or "DRAFT")

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Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ovidio Escalante whose telephone number is (703) 308-6262.

The examiner can normally be reached on Monday to Friday from 6:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached on (703) 305-4895. The fax phone number for this Group is (703) 872-9314.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [fan.tsang@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Ovidio Escalante  
Examiner  
Group 2645  
July 2, 2003

FAN TSANG  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

